

ORIGINAL IN



0000000767

RECEIVED

2003 SEP 10 P 2:35

AZ CORP COMMISSION  
DOCUMENT CONTROL

1 Timothy M. Hogan (004567)  
2 ARIZONA CENTER FOR LAW  
3 IN THE PUBLIC INTEREST  
4 202 E. McDowell Rd., Suite 153  
5 Phoenix, Arizona 85004  
6 (602) 258-8850

Attorneys for Western Resource Advocates

BEFORE THE ARIZONA CORPORATION COMMISSION

8 MARC SPITZER  
9 CHAIRMAN  
10 JIM IRVIN  
11 WILLIAM A. MUNDELL  
12 JEFF HATCH-MILLER  
13 MIKE GLEASON

Arizona Corporation Commission

DOCKETED

SEP 10 2003

DOCKETED BY

CAR

12 In the matter of the Application of )  
13 ARIZONA PUBLIC SERVICE COMPANY )  
14 for a Hearing to Determine the Fair Value of the )  
15 Utility Property of the Company for Ratemaking )  
16 Purposes, to Fix Just and Reasonable Rate of )  
17 Return Thereon, to Approve Rate Schedules )  
18 Designed to Develop Such Return, and for )  
19 Approval of Purchased Power Contract. )

Docket No. E-01345A-03-047

0437  
MOTION TO INTERVENE  
OF WESTERN RESOURCE  
ADVOCATES

18 Pursuant to the Rules of Practice and Procedure of the Arizona Corporation Commission  
19 ("Commission"), Western Resource Advocates ("WRA") (formerly the Land and Water Fund of  
20 the Rockies) hereby moves to intervene in the above-captioned docket and, in support thereof,  
21 states as follows:  
22

23 1. WRA is a regional environmental law and policy center serving the Rocky  
24 Mountain Desert Southwest states. WRA has been involved in proceedings before the  
25 Commission for over ten years and has been granted intervenor status in numerous dockets. As

1 part of this work, WRA has represented a number of other Arizona non-profit organizations on  
2 energy issues. WRA has a board member, staff member and multiple supporters who live and  
3 recreate in Arizona and/or are APS electric ratepayers.

4         2.       WRA's Energy Project promotes policies and programs designed to encourage the  
5 development of clean energy power production technologies, energy efficiency, renewable  
6 resources, distributed generation, and other measures that help reduce the environmental impacts  
7 of meeting the demand for energy services and encourage sustainable rural economic  
8 development, while minimizing the costs and risks to ratepayers of fuel price volatility and  
9 environmental regulatory requirements. It has appeared in rate proceedings before the  
10 Commission and in other state and federal regulatory forums to recommend , among other  
11 things, improvements in rate design for sending efficient price signals and cost recovery  
12 mechanisms for investments in renewable energy and energy efficiency.

14         3.       Intervention by WRA will not unduly broaden the issues or delay the proceeding.

15         4.       WRA requests that all pleadings, correspondence, discovery and other documents  
16 be served on the following:

17                   Timothy M. Hogan  
18                   Arizona Center for Law in the Public Interest  
19                   202 E. McDowell Road, Suite 153  
20                   Phoenix, Arizona 85004  
21                   (602) 258-8850  
22                   FAX: (602) 258-8757  
23                   [thogan@aclpi.org](mailto:thogan@aclpi.org)

24                   David Berry  
25                   Western Resource Advocates  
                  P. O. Box 1064  
                  Scottsdale, Arizona 85252-1064  
                  (480) 990-7209 (fax is the same)  
                  [azbluhill@aol.com](mailto:azbluhill@aol.com)

1 Eric C. Guidry  
2 Western Resource Advocates  
2260 Baseline Road, Suite 200  
3 Boulder, Colorado 80302  
(303) 444-1188 x226  
4 FAX: (303) 786-8054  
[eguidry@westernresources.org](mailto:eguidry@westernresources.org)

5 WHEREFORE, WRA respectfully requests that the Commission issue an order granting  
6 its Motion to Intervene in the above-captioned proceeding.

7 DATED this 10<sup>th</sup> day of September, 2003.

9 ARIZONA CENTER FOR LAW IN  
10 THE PUBLIC INTEREST

11 By 

12 Timothy M. Hogan  
202 E. McDowell Rd., Suite 153  
13 Phoenix, Arizona 85004  
Attorneys for Western Resource  
14 Advocates

15 ORIGINAL and 13 COPIES of  
16 the foregoing filed this 10<sup>th</sup> day  
of September, 2003, with:

17 Docketing Supervisor  
18 Docket Control  
Arizona Corporation Commission  
19 1200 W. Washington  
Phoenix, AZ 85007

20 COPIES of the foregoing  
21 mailed this 10<sup>th</sup> day of  
September, 2003 to:

22 Christopher Kempley, Chief Counsel  
23 Arizona Corporation Commission  
1200 W. Washington  
24 Phoenix, Arizona 85007-2927  
25

1 Jeffrey B. Guldner  
Faraq Sanei  
2 Snell & Wilmer  
One Arizona Center  
3 400 E. Van Buren Street  
Phoenix, Arizona 85004-2202  
4 Attorneys for Arizona Public Service Company

5 C. Webb Crockett  
6 Fennemore Craig  
3003 N. Central Avenue, Suite 2600  
7 Phoenix, Arizona 85012  
Attorneys for AECC and Phelps Dodge

8 Major Allen G. Erickson  
9 AFCES A/ULT  
139 Barnes Drive, Suite 1  
10 Tyndall AFB, Florida 32403-5319  
Attorney for FEA

11 Michael L. Kurtz  
12 Boehm, Kurtz & Lowry  
36 E. Seventh Street, Suite 2110  
13 Cincinnati, Ohio 45202  
Attorneys for Kroger Company

14 Scott Wakefield  
15 RUCO  
2100 N. Central Avenue, Suite 220  
16 Phoenix, Arizona 85007

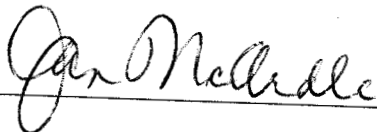
17 Walter W. Meek  
18 AUIA  
2100 N. Central Avenue, Suite 210  
19 Phoenix, Arizona 85007

20 Thomas L. Mumaw  
21 Karilee S. Ramaley  
Pinnacle West Capital Corporation  
22 P. O. Box 53999, MS 8695  
Phoenix, Arizona 85072-3999

23 Ernest G. Johnson, Director of Utilities  
24 Arizona Corporation Commission  
1200 W. Washington Street  
25 Phoenix, AZ 85007

1 David Berry  
2 Western Resource Advocates  
3 P. O. Box 1064  
4 Scottsdale, Arizona 85252-1064

4 Eric Guidry  
5 Western Resource Advocates  
6 2260 Baseline Road, Suite 200  
7 Boulder, Colorado 80302

8   
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25